IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1977 OF 2006
WITH
CRIMINAL APPLICATION NO.1978 OF 2006

Lata Manohar Jundale and ors. ..Applicants.
Vs.
The State of Maharashtra. ..Respondent.
.....

Nayana Lingappa Patil and anr. ..Applicants.
Vs.
The State of Maharashtra., ..Respondent.

Mr.H.S.Venegavkar for the Applicants.
Mr.K.V.Saste, A.P.P. for the State.

CORAM : R.S. MOHITE,J.
DATED : 12/6/2006.

P.C.

1. These applications are filed by the applicants for grant anticipatory bail. The Police have registered MECR No.9/2006. The said crime has been registered on 23.2.2006 on the basis of an order under Section 156(3) of the Code of Criminal Procedure passed by the Magistrate. The complaint before the Magistrate was made by one Manohar Bhimrao Jundale who is the husband of the applicant in Cri. Application No.1977 of 2006. The other applicants are two sister-in- laws, brother in law, father in law and brother of brother in law of applicant No. 1 and a neighbourer of applicant No.1. On perusal of the complaint, it is clear that the deceased Nilesh Manohar Jundale was staying alongwith his mother and other family members from the mother’s

side in Village Nazare, District Solapour. As per the complaint the applicant Lata was having illicit relations with others the complainant was not in good terms with the applicant Lata and he was staying in Village Laxmi Dahiwadi which is in another Taluka. On reading the complaint, it seems that the husband who is not having good relations with his wife has made allegations against all the family members of his wife as regards their character. It is obvious that he has no personal knowledge about the death of his son who was staying alongwith his mother. After the child expired, he was burned and there is no post mortem conducted. According to the complaint death was due to poisoning. The investigation has not specifically revealed that the applicants are in any way responsible for the death of the deceased Nilesh. The allegations relating to motive are vague. Though the child expired on 25.9.2005, the complainant did not file F.I.R. and has directly filed complaint in the court after more than three months on 4.1.2006. In my view. investigation can proceed without the arrest of the present applicants. It is therefore, directed that in the event of arrest, the applicants in both the applications may be released on bail in the sum of Rs.5000/- each with one surety in the like amount subject to condition that they should report to the Investigating Officer as and when called to attend in writing. Both the applications are disposed

of.

(R. S. MOHITE, J.)